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Attorneys for Defendant  
BONNEVILLE INTERNATIONAL CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Counsel report that they have met and conferred regarding ADR and have reached the

following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

1 Early Neutral Evaluation (ENE) (ADR L.R.5)

2 The parties agree to hold the ADR session by: September 29, 2006

3 DATED: July 18, 2006

LAW OFFICE OF SAMUEL B. RUDOLPH

4  
5 By: /s/ Samuel B. Rudolph  
SAMUEL B. RUDOLPH

6 Attorney for Plaintiff FRED R. MASSIE

7 DATED: July 18, 2006

8 DAVIS WRIGHT TREMAINE LLP  
9 STUART W. MILLER  
MICHELLE D. FIFE

10 By: /s/ Stuart W. Miller  
11 STUART W. MILLER

12 Attorneys for Defendant BONNEVILLE  
13 INTERNATIONAL CORPORATION

14 [PROPOSED] ORDER

15 Pursuant to the Stipulation above, the captioned matter is hereby referred to:

16 Early Neutral Evaluation (ENE)

17 Deadline for ENE session is September 29, 2006

18 IT IS SO ORDERED.

19 DATED: July 24, 2006

